

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY SERVICES COMMITTEE

Agenda Item No.

meeting date: 2 SEPTEMBER 2014
title: GENERAL REPORT
submitted by: JOHN HEAP, DIRECTOR OF COMMUNITY SERVICES
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1 PURPOSE

- 1.1 To update Committee on recent developments in the waste management section.

2 WASTE MANAGEMENT

2.1 The Waste (England and Wales) Regulations 2011 (Amended 2012)

Since 2010, waste collection authorities in England and Wales have had a duty under Section 45 of the Environmental Protection Act 1990 to arrange for the separate collection of at least two types of recyclable waste from households. In addition, Regulation 13 of the Waste (England and Wales) Regulations 2011 requires waste collection authorities from 1 January 2015, to collect waste paper, metal, plastic and glass separately (four recyclable materials)

Originally, Regulation 13 specified co-mingling of dry recyclable materials that were separated at a materials recovery facility (such as the County facility at Farington) was a valid form of separate collection. Regulation 13 was amended following a judicial review challenge.

The amended Regulation 13 came into force in October 2012, and is as follows:

2.2 Duties in Relation to Collection of Waste

1. This regulation applies from 1 January 2015.
2. Subject to paragraph (4), an establishment or undertaking which collects waste paper, metal, plastic or glass must do so by way of separate collection.
3. Subject to paragraph (4), every waste collection authority must, when making arrangements for the collection of waste paper, metal, plastic or glass, ensure that those arrangements are by the way of separate collection.
4. The duties in this regulation apply where separate collection:
 - a) is necessary to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery; and,
 - b) is technically, environmentally and economically practicable (TEEP)

Guidance was originally expected from Defra to clarify the conditions of when it was technically, environmentally and economically practical (TEEP) to require separate collections. Defra has now advised that they have abandoned their decision to

provide guidance, however, this does not remove the authority's statutory obligations.

The amendment to Regulation 13 meant that councils need to collect four materials separately, and that there are two tests, a necessity and a Technical, Environmental, Economic and Practicable (TEEP) test. In practical terms, this means that local authorities will need to consider their collection arrangements against these requirements. The regulations do not prohibit the co-mingled collection of these materials, rather they establish separate collection as the `default` and it is for the local authority to demonstrate that separate collection is not necessary or practicable in their area.

The Waste & Resources Action Programme (WRAP) has produced a guidance document "Waste Regulations Route Map" to help local authorities understand what recycling services they are legally obliged to provide under waste law. The Route Map developed by a working group comprising of members of the local authority waste networks and WRAP aims to reduce the extent to which individual authorities need to invest in advice, and help bring consistency and clarity to the way that the Waste England and Wales Regulations 2011 are interpreted. In particular, it focuses on the separate collection of the four recyclable waste materials under Regulation 13.

The Waste Regulations Route Map comprises of three main sections:

- A step by step process for councils to follow as they assess whether their waste collection services are compliant with the requirement to separately collect certain materials;
- Addresses some frequently asked questions(FAQs) about what the law requires; and,
- Signposts useful resources to help councils in their assessments.

It is primarily concerned with household waste collections, although it is also relevant to waste disposal authorities.

Currently, officers are undertaking an assessment of all our waste management arrangements as suggested within the Waste Regulations Route Map and on completion will report fully to this Committee.

2.3 PFI Waste Technology Parks

We have been advised by the County Council that from 1 August 2014, by mutual agreement with their Waste PFI Contractor (Global Renewables Lancashire Ltd) they have terminated the contract, transferring ownership and operational responsibility of the facilities to Lancashire County Council and Blackpool Council. The contract has been terminated just 3 years into the 25 year deal and under the new arrangements they anticipate making savings of more than £12 million per year.

The County Council feels that this presents an exciting opportunity for waste management in Lancashire and that the changes will significantly improve the flexibility of the current arrangements. Officers are still evaluating what implications these changes will have on district collection arrangements including those provided by Ribble Valley.

2.4 Recycling Credits

Since receiving notification from Lancashire County Council that they will no longer support Lancashire's Waste Collection Authorities through Cost Sharing

arrangements and in the case of Ribble Valley, through tonnage based Recycling Credit payments this decision continues to be discussed collectively by all the Lancashire districts at both Chief officer and Leader level.

Advice has been sought about how Government departments might view the validity and implications of the withdrawal of such financial support and we are awaiting their response.

Additionally we are currently evaluating Legal Counsel advice sought collectively by all the Lancashire districts.

Further information will be provided to Members in future meetings of this Committee.

2.5 Mixed Food and Garden Waste Scheme

As reported to Members on 30 January 2014 the larger Green Wheeled Bin initiative was completed in December last year.

Since completion, demand for the larger bins has steadily increased as anticipated and added to the overall improvements to our waste management performance.

During the first quarter of this year 1392 tonnes of mixed food and garden waste was composted compared with 886 tonnes from the same period last year an increase of over 57%.

2.6 Waste Paper and Cardboard Collection Service

Improvements to the fortnightly, kerbside, mixed waste paper and cardboard collection service commenced on Monday, 3 March 2014. Whilst the paper and cardboard will still be collected every two weeks it is now collected on the same day as either the green or blue wheeled bin.

In the first 3 months since taking over the delivery of the service, we have seen a 3% increase in the tonnage of waste paper and cardboard collected compared with the same period last year.

Officers are aware that further improvements are required to provide a more reliable and customer focussed service which will lead to an increase in participation and thereby increasing the amount of material collected.

3 **CONCLUSION**

3.1 Further updates will be given to future meetings of this Committee.

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For further information concerning waste management, please ask for Peter McGeorge, 01200 414467

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